

### **REMARKS**

Applicants' representatives thank the Examiner for the courtesy of a telephone interview on December 22, 2003, where claim 51 was discussed and clarified. The Examiner Interview Summary of the same date describes, completely, to the Applicants' knowledge, the content of that interview.

Claims 51-53 have been amended to recite a "polymeric" mask (claims 51-52) or a "polymeric" masking system (claim 53). Support for this amendment can be found throughout the specification, and as one example, on page 15, lines 21-23.

Claim 51 has also been amended to clarify that the dimension of the first portion of the surface is a lateral dimension on the surface (as opposed to the thickness of the article). This amendment only clarifies claim 51, and does not alter its scope. Support for this amendment can be found throughout the specification, for example, on page 28, lines 24-26.

Claim 52 has also been amended to recite "the curved surface," to provide proper antecedent basis.

Claim 63 has been cancelled by the Patent Office. Claim 63 was originally withdrawn pursuant to a Restriction Requirement filed December 13, 2002. Applicants believe that, upon allowance of claim 53, which claim 63 ultimately depends from, claim 63 will also be in condition for allowance. Accordingly, it is respectfully requested that claim 63 be reinstated.

No new matter has been added by these amendments. Claims 51-62 are now pending for examination.

### **Rejections Under 35 U.S.C. §112, ¶2**

The Patent Office has rejected claims 51 and 52 under 35 U.S.C. §112, ¶2, as being infinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claim 51 has been amended solely to clarify that the dimension of the first portion of the surface is a lateral dimension of the surface of the article, as opposed to the thickness of the article. This amendment thus does not alter the scope of the claim. It is therefore respectfully requested that the rejection of claim 51 be withdrawn.

With respect to claim 52, the term “non-planar” has been replaced by “curved” to provide proper antecedent basis. The amendment is typographical in nature, and does not alter the scope of the claim. Withdrawal of the rejection of claim 52 is respectfully requested.

**Rejections Under 35 U.S.C. §102(b) with respect to Rustomji**

The Patent Office has rejected claims 51 and 53-55 under 35 U.S.C. §102(b) as being anticipated by Rustomji, U.S. Patent No. 4,511,599 (“Rustomji”).

Applicants do not see where in Rustomji is a polymeric mask or a polymeric system disclosed, as recited in claims 51 and 53, as amended. Rustomji teaches a steel mask (see, e.g., the abstract). Accordingly, it is respectfully requested that the rejection of claims 51 and 53 be withdrawn. Claims 54 and 55 depend from claim 53, and it is respectfully requested that the rejection of these claims also be withdrawn.

**Rejections Under 35 U.S.C. §103(a) with respect to Rustomji**

The Patent Office has rejected claim 62 under 35 U.S.C. §103(a) as being unpatentable over Rustomji.

For at least the reasons explained above with respect to §102(b), it is believed that the premise of the rejection under §103(a) (i.e., that Rustomji teaches all of the limitations of claim 53, from which claim 62 depends) is incorrect. Accordingly, while Applicants do not concede that there is any suggestion or motivation to modify Rustomji in the manner suggested in the Office Action, the present rejection can not stand, regardless. Thus, withdrawal of the rejection of claim 62 is respectfully requested.

**Rejections Under 35 U.S.C. §103(a) with respect to Rustomji in view of Smith**

The Examiner rejected claims 56-61 under §103(a) as being unpatentable over Rustomji in view of Smith, U.S. Patent No. 4,119,745 (“Smith”).

For at least the reasons explained above with respect to §102(b), it is believed that the premise of the rejection under §103(a) (i.e., that Rustomji teaches all of the limitations of claim 53, from which claim 56-61 each ultimately depends) is incorrect. Accordingly, while Applicants do not concede that there is any suggestion or motivation to combine Rustomji and

Smith in the manner suggested by the Patent Office, the present rejection cannot stand, regardless. Withdrawal of the rejection of claims 56-61 is therefore respectfully requested.

**Rejections Under 35 U.S.C. §103(a) with respect to Hembree**

The Examiner rejected claims 52 under 35 U.S.C. §103(a) as being unpatentable over Hembree, et al., U.S. Patent No. 6,181,144 ("Hembree").

The Office Action has not pointed to a suggestion or motivation in Hembree that would lead one of ordinary skill in the art to modify Hembree to be used on curved surfaces. Hembree teaches that his systems are useful in microelectronics for the fabrication of flat surfaces such as silicon wafers. Accordingly, absent a suggestion or motivation to modify Hembree for use on curved surfaces, it is believed that the rejection is improper, and it is respectfully requested that the rejection be withdrawn.

**CONCLUSION**

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicants representatives at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

By: 

Timothy J. Over, Reg. No. 36,628  
Tani Chen, Reg. No. 52,728  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2211  
Telephone: (617) 720-3500

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